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PROMOTION AND PROTECTION OF HUMAN RIGHTS

Written statement* submitted by the International Federationof Human Rights Leagues, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[5 January 2000]

* This written statement is issued, unedited, as received from the submitting non-governmental organization.

GE.00-10877 (E)

This report reproduces the recommendations adopted by the participants at the training seminar organized by the International Federation of Human Rights Leagues and its two member organizations in Lebanon, the Lebanese Association of Human Rights and the Human Rights and Humanitarian Law Foundation (Lebanon). These recommendations are principally aimed at the Lebanese Government and the 27 signatory States of the 1995 Barcelona Declaration which established a European-Mediterranean partnership.

The participants who gathered for the fourth training seminar on the European-Mediterranean human rights programme adopted the following recommendations.

Bearing in mind the importance which the Barcelona Declaration of November 1995 and association agreements attach to the concept of a State governed by the rule of law and the role of civil society, the participants were keen to define the meaning of these concepts.

A State governed by the rule of law is one that guarantees separation of powers and the independence of the judiciary, possesses a supreme court which ensures that legislation conforms to the Constitution, and safeguards civil liberties. Given these preconditions, the State may only introduce a state of emergency and invoke the concept of public order on an exceptional basis and in accordance with international instruments for the protection of human rights. Elections must be fair and transparent. Civil society means the aggregate of organizations, associations, people and media outlets whose purpose, outside the machinery of government, is to safeguard or protect civil liberties by peaceful means, ensure their effective enjoyment, and promote the emergence and validation of an independent, pluralist and collective identity based on human rights and a culture centred around the citizen. It is against such a background that one can imagine and endeavour to develop genuine dialogue between the authorities and the organizations of civil society, while bearing in mind the need to respect the independence of non-governmental organizations (NGOs) so as to avoid interference by the authorities in their work and to establish pluralist and ongoing consultative mechanisms.

2. Underscoring the principle of the universality of human rights and considering that women's rights are an integral part of human rights, the participants believe that the role of NGOs is to report human rights violations, assist the victims of such violations without discrimination, and exert influence on public opinion and national, regional and international protection bodies (including, in particular, the Commission on Human Rights, the treaty-monitoring bodies, working groups and Special Rapporteurs). They call on organizations in each country and across the region to coordinate their efforts to influence these bodies and to cooperate whenever possible while respecting the diversity and independence of the various actors in civil society.

The participants urge all NGOs to promote national debate on respect for and promotion of human rights, particularly during sessions of the various treaty-monitoring bodies.

3. Distressed by the fact that States in the region have consistently entered reservations to international instruments for the protection of human rights, and in particular to the Convention on the Elimination of All Forms of Discrimination against Women, the participants have committed themselves to pursuing efforts to encourage States to withdraw their reservations to this Convention, for example by contributing routinely to the work of the Committee on the

Elimination of All Forms of Discrimination against Women. Concerned by the extent of violence against women in the region, and particularly by the use of rape as a weapon of war and the taboo surrounding this scourge, the participants intend to strengthen their cooperation with the Special Rapporteur on violence against women, its causes and consequences. They also plan to contribute actively to the preparation of a follow-up report on the implementation of the Beijing Declaration adopted at the World Conference on Women in 1995.

4. Noting with satisfaction the declining number of cases of long-term arbitrary imprisonment of prisoners of conscience in Lebanon, the participants urge the Lebanese authorities to make every effort to halt the use of torture in police custody. There has been no official inquiry by the authorities into the fate of 17,000 disappeared persons in Lebanon. Hundreds of Lebanese and Palestinian citizens have been illegally detained in the southern occupation zone and in Israel. Hundreds more have been imprisoned in the Syrian Arab Republic. The participants demand the unconditional release of all victims of arbitrary imprisonment and the establishment of the truth, both in Lebanon and in other countries in the region, about the fate of victims of forced disappearances. Given the extent of arbitrary imprisonment and forced disappearances in the region, the participants plan to meet periodically to coordinate joint actions, and specifically to influence public opinion in member States of the European-Mediterranean partnership and its various bodies.

5. Believing that peace is one of the main objectives of the European-Mediterranean partnership, the participants touched on the situation of Palestinian refugees in the course of their work. A just and lasting peace in the region is inconceivable without taking account of their situation and the implementation of the relevant United Nations resolutions, especially those concerning the right to return. Pending the exercise of the Palestinians' inalienable right to return, the participants call for the effective implementation of the 1951 Convention relating to the Status of Refugees and the inauguration of a debate in each country with a Palestinian refugee population on the best means of protecting their dignity.

6. As a party to the principal international treaties for the protection of human rights, Lebanon has honoured its commitments by submitting periodic reports to the various treaty-monitoring bodies: the Committee on Economic, Social and Cultural Rights in June 1993, the Committee on the Rights of the Child in June 1996, the Human Rights Committee in May 1997, and the Committee on the Elimination of Racial Discrimination in March 1998. Nevertheless, Lebanon has failed to meet the deadline for submission of its latest reports to the Committee on the Elimination of All Forms of Discrimination against Women, the Committee on the Elimination of Racial Discrimination, and the Committee on Economic, Social and Cultural Rights. The participants have noted the significance and quality of the alternative reports submitted by Lebanese NGOs to the experts on the various Committees, and stressed the need for NGOs to start preparing now for the session of the Committee on the Elimination of All Forms of Discrimination against Women and the other Committees which are scheduled to consider Lebanese State party reports. The Lebanese Government is urged to bring national legislation into line with the international instruments to which Lebanon is a party, in conformity with the recommendations adopted by the above-mentioned Committees. It should also implement these instruments and ratify the Convention against Torture without entering any reservations that might be contrary to the aims and objectives of the Convention.

7. Recognizing as a "human rights defender" anyone who works to implement these international instruments or acts in accordance with them, the participants believe that the freedom of action and safety of human rights defenders is a prerequisite for the healthy development of a State governed by the rule of law. They call on the Lebanese Government to allow the establishment of associations by simple notification and to authorize such associations to institute civil actions alongside victims of human rights abuses. The participants regret the fact that Lebanon is one of the 26 countries (of which five are members of the European-Mediterranean partnership and 14 are members of the League of Arab States) which signed an "interpretative declaration" on the Declaration on Human Rights Defenders, adopted by the General Assembly on 9 December 1998. This "interpretative declaration", which has no legal force in international law, claims to subordinate the application of the Declaration on Human Rights Defenders to respect for the internal law of States. The participants request the Lebanese Government and other Governments in the region to withdraw these reservations and implement the provisions of the Declaration in their entirety.

8. Since the holding of the Barcelona Conference in November 1995, the European-Mediterranean partnership has made some progress despite the ups and downs of the Middle East peace process. A number of countries have now signed association agreements with the European Union (Tunisia, Morocco, Jordan) and others are currently negotiating similar treaties. The participants note that notwithstanding the inclusion of a clause explicitly referring to human rights in these agreements, the human rights situation has not improved and has even worsened in certain countries (enactment of laws drastically curtailing freedom of association in Egypt, systematic harassment of human rights defenders in Tunisia, etc.).

The participants urge the region's NGO community to take advantage of the opportunities offered by the partnership to secure effective implementation of clauses regarding human rights and the involvement of civil society. They support the recommendations of the third Barcelona follow-up forum organized by civil society in Stuttgart in April 1999.

The participants propose the inclusion of the question of women's rights in the agenda of the fourth Barcelona follow-up forum on human rights in the Mediterranean region.

Beirut, 2 October 1999

The following organizations participated:

Parents' Committee of Kidnapped and Disappeared in Lebanon

Project régional d'échange et d'information sur le genre

Lebanese Women's Council (CFL)

Ligue des droits de la femme libanaise

Lebanese NGO Forum

Fondation René Moawad

Institut des droits de l'homme du barreau de Beyrouth

Association of Women of the Mediterranean Region (AWMR)

Mouvement franco-libanais de soutien aux Libanais détenus arbitrairement (SOLIDA)

NGOs for Following Women's Issues (after Beijing)

Lebanese Council to Resist Violence against Women

Comité des droits de l'homme Ordre des avocats, Beyrouth

Association pour la défense des droits et libertés (ADDL)

Gender Linking and Information Project

Nouveaux droits de l'homme – Mission au Liban

Follow-up Committee for the Support of Lebanese Detainees in Israeli Prisons

Comité des familles des détenus libanais en Syrie

Support of Lebanese in Detention (SOLID)

Palestinian Human Rights Organization

Collectif 95 Maghreb-Egalité

Organisation égyptienne des droits de l'homme

Comité pour le respect des libertés et des droits de l'homme en Tunisie

Association marocaine des droits de l'homme (AMDH)

Organisation marocaine des droits de l'homme (OMDH)

Ligue algérienne pour la défense des droits de l'homme

Jordanian Society for Human Rights

Palestinian Society for the Protection of Human Rights and Environment (Law)